THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.16386 OF 2007

Dated: 31-07-2007

Between :

Smt. Ch. Dhanaramalakshmi … Petitioner

And

1. The Commissioner of Civil Supplies, A.P., Hyderabad & another. .. Respondents

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ORDER :

The husband of the petitioner by name Ch. Ratna Mohana Rao was holding Form-B licence under the provisions of A.P. Petroleum Products (Licensing & Regulation of Supplies) Order, 1980 (for short, 'the Order') for carrying on the business of supply of LPG. The said licence was valid upto 31-12-2006. While so, the licensee died on 13-6-2005 and thereafter the petitioner herein who claims to have been running the business after the death of her husband, made an application for renewal of the licence on 29-11-2006. The 2nd respondent – Licensing Authority – by order dated 24-7-2007 returned the petitioner's application for submitting the same along with the explosive licence to be obtained in her favour. The 2nd respondent also ordered that the supply of the refill cylinders to the petitioner shall be stopped until further orders. Aggrieved by the same, the petitioner preferred an appeal before the 1st respondent. Though the appeal was entertained by the 1st respondent, by order dated 27-7-2007 the application for suspension of the operation of the proceedings dated 24-7-2007 was dismissed. Challenging the said order dated 27-7-2007, this writ petition has been filed.

As could be seen from the material on record, admittedly the licence in favour of the petitioner's husband expired on 31-12-2006. Even assuming that the petitioner made an application for renewal within the time prescribed, there is no provision under the Control Order which entitles the petitioner to carry on the business

even after the expiry of licence.

In the circumstances, the direction issued by the 2nd respondent to stop the supply of refills to the petitioner cannot be held to be arbitrary or illegal. Hence, the interference by this Court is not warranted.

However, having regard to the facts and circumstances, the Writ Petition is disposed of with a direction to the 1st respondent to dispose of the main appeal itself expeditiously following due process of law.

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G. ROHINI,J.

Dt. 31-7-2007

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